PATENTS

JUL 1 1 2005 FIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applica	ation of:)	
• •) Art Unit:	2123
Peter A.J. v	ander Made et al.)	
) Examiner:	Russell L. Guill
Serial No.:	09/885,427)	
) Docket No.	: 05456.105039
Filed:	June 19, 2001)	
) Conf. No.:	4888
For: Analyt	tical Virtual Machine)	

INFORMATION DISCLOSURE STATEMENT ("IDS") WITH AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT THE APPROPRIATE FEE TO CONSIDER THE IDS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicants hereby submit an Information Disclosure Statement ("IDS") for consideration by the Examiner. The patents, publications or other information submitted for consideration by the Patent Office are listed on Form PTO-1449, attached hereto. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

Except as may be indicated below, all of the patents, publications or other information are in the English language, a copy of which is attached hereto and therefore, a concise explanation of each reference is not required. The following additional information is provided for the Examiner's consideration.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 8, 2005.

Steven P. Wigmore, Reg. No. 40,447

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Appl. No. 09/885,427 Information Disclosure Statement Docket No. 05456.105039

To assist the Examiner in reviewing this IDS, the Applicants have conducted a key word search of each U.S. patent and U.S. patent application publication listed on the attached Form PTO-1449. The Applicants used the following search terms in his query of the U.S. patents and U.S. patent application publications: (1) "(virtual\$ or artificial\$)"; (2) "(machine\$ or computer\$)"; and (3) "(malicious\$ or virus\$ or threat\$)." The Applicants used Boolean logic when performing this search in which each term was linked by the logical connector "AND." A search of these U.S. patents and U.S. patent application publications using the aforementioned terms and Boolean search logic yielded the following results (68 patents and 10 publications):

U.S. Patents
U.S. Patent No. 5,359,659 to Rosenthal
U.S. Patent No. 5,398,196 to Chambers
U.S. Patent No. 5,440,723 to Arnold et al.
U.S. Patent No. 5,452,442 to Kephart
U.S. Patent No. 5,475,839 to Watson et al.
U.S. Patent No. 5,557,742 to Smaha et al.
U.S. Patent No. 5,606,668 to Shwed
U.S. Patent No. 5,675,711 to Kephart et al.
U.S. Patent No. 5,696,822 to Nachenberg
U.S. Patent No. 5,765,030 to Nachenberg
U.S. Patent No. 5,787,177 to Leppek
U.S. Patent No. 5,796,942 to Esbensen
U.S. Patent No. 5,812,763 to Teng
U.S. Patent No. 5,826,013 to Nachenberg
U.S. Patent No. 5,835,726 to Shwed et al.
U.S. Patent No. 5,842,002 to Schnurer et al.
U.S. Patent No. 5,854,916 to Nachenberg
U.S. Patent No. 5,907,834 to Kephart et al.
U.S. Patent No. 5,919,258 to Kayashima
U.S. Patent No. 5,964,889 to Nachenberg
U.S. Patent No. 5,978,917 to Chi
U.S. Patent No. 5,983,348 to Ji
U.S. Patent No. 5,983,350 to Minear et al.
U.S. Patent No. 5,987,610 to Franczek et al.
U.S. Patent No. 5,987,611 to Freund
U.S. Patent No. 5,999,723 to Nachenberg
U.S. Patent No. 6,016,553 to Schneider et al.
U.S. Patent No. 6,067,410 to Nachenberg
U.S. Patent No. 6,088,803 to Tso et al.
U.S. Patent No. 6,088,804 to Hill et al.
U.S. Patent No. 6,119,165 to Li et al.

Docket No. 05456.105039
U.S. Patent No. 6,167,520 to Touboul
U.S. Patent No. 6,199,181 to Rechef et al.
U.S. Patent No. 6,226,372 to Beebe et al.
U.S. Patent No. 6,266,774 to Sampath et al.
U.S. Patent No. 6,272,641 to Ji
U.S. Patent No. 6,275,938 to Bond et al.
U.S. Patent No. 6,275,942 to Bernhard et al.
U.S. Patent No. 6,279,113 to Vaidya
U.S. Patent No. 6,321,338 to Porras et al.
U.S. Patent No. 6,324,627 to Kricheff et al.
U.S. Patent No. 6,324,647 to Bowman-Amuah
U.S. Patent No. 6,338,141 to Wells
U.S. Patent No. 6,347,374 to Drake et al.
U.S. Patent No. 6,353,385 to Molini et al.
U.S. Patent No. 6,357,008 to Nachenberg
U.S. Patent No. 6,405,318 to Rowland
U.S. Patent No. 6,405,364 to Bowman-Amuah
U.S. Patent No. 6,408,391 to Huff et al.
U.S. Patent No. 6,438,600 to Greenfield et al.
U.S. Patent No. 6,453,345 to Trcka et al.
U.S. Patent No. 6,460,141 to Olden
U.S. Patent No. 6,477,651 to Teal
U.S. Patent No. 6,484,203 to Porras et al.
U.S. Patent No. 6,510,523 to Perlman et al.
U.S. Patent No. 6,535,227 to Fox et al.
U.S. Patent No. 6,574,737 to Kingsford et al.
U.S. Patent No. 6,584,454 to Hummel, Jr. et al.
U.S. Patent No. 6,601,190 to Meyer et al.
U.S. Patent No. 6,606,744 to Mikurak
U.S. Patent No. 6,647,400 to Moran
U.S. Patent No. 6,681,331 to Munson et al.
U.S. Patent No. 6,691,232 to Wood et al.
U.S. Patent No. 6,704,874 to Porras et al.
U.S. Patent No. 6,708,212 to Porras et al.
U.S. Patent No. 6,711,615 to Porras et al.
U.S. Patent No. 6,725,378 to Schuba et al.
U.S. Patent No. 6,839,850 to Campbell et al.

U.S. Patent Application Publications
U.S. Patent Application Publication No. 20010034847 to Gaul et al.
U.S. Patent Application Publication No. 20020032717 to Malan et al.
U.S. Patent Application Publication No. 20020032793 to Malan et al.
U.S. Patent Application Publication No. 20020035698 to Malan et al.
U.S. Patent Application Publication No. 20020083334 to Rogers et al.
U.S. Patent Application Publication No. 20020138753 to Munson
U.S. Patent Application Publication No. 20020144156 to Copeland
U.S. Patent Application Publication No. 20030088791 to Porras et al.
U.S. Patent Application Publication No. 20030212903 to Porras et al.
U.S. Patent Application Publication No. 20040010718 to Porras et al.

The Applicants submit that these search terms cannot be interpreted as providing emphasis on these terms when the claims are interpreted and construed by both the Examiner and the courts. The Applicants merely selected these terms to identify the prior art that may be more relevant than prior art that do not contain these search terms.

To further assist the Examiner, the Applicants have organized each of the U.S. Patents and U.S. Patent Application Publications according to classification. For the non-U.S. patent prior art, the Applicants have annotated Form PTO-1449 with the location of each document in a respective box.

The Applicant exerted this additional time and effort to help the Examiner so that if a patent is ever issued on this patent application, third parties will understand that the Applicant submitted the attached prior art on a good faith basis. The Applicant recognizes that the attached prior art is voluminous but it is not the Applicant's intent to "bury" any patents that maybe more pertinent than other ones. The Applicant does not want to dismiss any reference that he is aware of as cumulative in order to prevent third parties from arguing that the Applicant intentionally did not submit any prior art in an effort to deceive the Examiner and the Patent Office.

This IDS is being filed under 37 C.F.R. § 1.97(c)(2), before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application. No certification is required. The Commissioner is authorized to charge the \$180.00 fee set forth in 37 C.F.R. § 1.17(p) to Deposit

Appl. No. 09/885,427

Information Disclosure Statement

Docket No. 05456.105039

Account No. 11-0980. Please charge any additional fees pursuant to 37 C.F.R. §§ 1.16 or 1.17 to

Deposit Account No. 11-0980.

If the Examiner has any questions concerning this IDS, he is requested to contact the

undersigned. If it is determined that this IDS has been filed under the wrong rule, the Patent

Office is requested to consider this IDS under the proper rule (with a petition if necessary) and

charge the appropriate fee to Deposit Account No. 11-0980.

Respectfully submitted,

KING & SPALDING LLP

Steven P. Wigmore, Esq.

Reg. No./40,447

Tel. (404) 572-4600

Enclosures:

1. Form PTO-1449

2. Foreign Patents

3. Publications

4. Postcard

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DOCKET NO.		SERIAL NO.		FILING DATE		•	
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AA	5,696,486	12/9/97	Poliquin	et al.	340		
AB	6,353,385	3/5/02	Molini e	t al.	340		
AC	5,353,393	10/4/94	Bennett	et al.	345		
AD	6,429,952	8/6/02	Olbricht		358		
AE	5,748,098	5/5/98	Grace		370		
AF	6,396,845	5/28/02	Sugita		370		
AG	6,711,127	3/23/04	Gorman	et al.	370		
AH	5,734,697	3/31/98	Jabbarne	zhad	379		
AI	6,104,783	8/15/00	DeFino		379		
AJ	6,226,372	5/1/01	Beebe et	al.	379		<u> </u>
AK	6,445,822	9/3/02	Crill et a	1.	382		
` AL	6,563,959	5/13/03	Troyank	er	382		
AM	6,618,501	9/9/03	Osawa e	t al.	382		
		F	OREIGN I	PATENT DOCUME	ENTS		
	DOCUMENT NUMBER	DATE	COUNT	RY	NAME		TRANSLATION YES NO.

FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY. DOCKET NO. SERIAL NO. FILING DATE 05456.105039 09/885,427 June 19, 2001 APPLICANT GROUP Peter A.J. vander Made et al. 2123 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME **CLASS** SUBCLASS FILING DATE INITIAL IF APPROPRIATE AN 6,628,824 9/30/03 Belanger 382 AO 6,647,139 11/11/03 Kunii et al. 382 AP 6,661,904 12/9/03 Sasich et al. 382 AQ 6,668,082 12/23/03 Davison et al. 382 AR 6,668,084 12/23/03 Minami 382 AS 6,792,144 9/14/04 Yan et al. 382 ΑT 9/6/94 5,345,595 455 Johnson et al. ΑU 6,278,886 8/21/01 455 Hwang AV5,210,704 5/11/93 Husseiny 702 AW 5,842,002 11/24/98 703 Schnurer et al. AX 5,854,916 12/29/98 703 Nachenberg AY 5,999,723 12/7/99 Nachenberg 703 ΑZ 6,067,410 5/23/00 703 Nachenberg BA 5,864,803 1/26/99 704 Nussbaum FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES NO. OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER DATE CONSIDERED** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	EX	5,961,644	10/5/99	Kurtzberg e	t al.	713					
	EY	5,978,917	11/2/99	Chi		713					
	EZ	5,983,348	11/9/99	Ji		713					
	FA	5,983,350	11/9/99	Minear et al	l.	713	1				
	FB	5,987,606	11/16/99	Cirasole et a	al.	713	1				
	FC	5,987,610	11/16/99	Franczek et	ranczek et al.						
	FD	5,987,611	11/16/99	Freund		713					
	FE	5,991,881	11/23/99	Conklin et a	al.	713		·			
	FF	5,999,711	12/7/99	Misra et al.		713					
	FG	6,003,132	12/14/99	Mann		713					
	FH	6,061,795	5/9/00	Dircks et al	•	713					
	FI	6,070,244	5/30/00	Orchier et a	ıl.	713		·			
	FJ	6,081,894	6/27/00	Mann		713					
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FORM PTO-1449, Adapted

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING D IF APPROPE	
	FK	6,088,803	7/11/00	Tso et al.		713			
	FL	6,088,804	7/11/00	Hill et al.		713			
	FM	6,092,194	7/18/00	Touboul		713			
	FN	6,098,173	8/1/00	Elgressy et a	1.	713			
	FO	6,119,234	9/12/00	Aziz et al.		713			
	FP	6,122,738	9/19/00	Millard		713			
	FQ	6,154,844	11/28/00	Touboul et a	1.	713			
	FR	6,167,520	12/26/00	Touboul	· · · · · · · · · · · · · · · · · · ·	713			
	FS	6,185,689	2/6/01	Todd, Sr. et	al.	713			
	FT	6,205,552	3/20/01	Fudge		713			
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FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY, DOCKET NO. SERIAL NO. FILING DATE 05456.105039 09/885,427 June 19, 2001 APPLICANT GROUP Peter A.J. vander Made et al. 2123 **U.S. PATENT DOCUMENTS** EXAMINER DOCUMENT NUMBER DATE NAME CLASS SUBCLASS FILING DATE INITIAL IF APPROPRIATE GA 6,298,445 10/2/01 Shostack et al. 713 GB 6,301,668 10/9/01 Gleichauf et al. 713 GC 6,314,520 11/6/01 Schell et al. 713 6,321,338 11/20/01 713 GD Porras et al. GE 11/27/01 713 6,324,647 Bowman-Amuah 1/8/02 713 GF 6,338,141 Wells GG 6,347,374 2/12/02 Drake et al. 713 GH 6,357,008 3/12/02 Nachenberg 713 713 GI 6,405,318 6/11/02 Rowland GJ 6,408,391 6/18/02 Huff et al. 713 GK 6,460,141 10/1/02 Olden 713 GL 6,470,449 10/22/02 Blandford 713 GM 6,477,648 11/5/02 Schell et al. 713 GN 713 6,477,651 11/5/02 Teal FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER DATE CONSIDERED**

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